

**THE HIGHLAND COUNCIL**

**NORTH PLANNING APPLICATIONS COMMITTEE  
09 JUNE 2015**

Agenda Item	6.3
Report No	PLN/031/15

**10/03603/FUL : Mr Donald Hymers  
Farm Steading, Watten Mains, Watten**

**Supplementary Report No 1 by Area Planning Manager**

**SUMMARY**

**Description :** Demolition and alteration of existing agricultural buildings and erection of 2 new general purpose agricultural buildings.

**Recommendation - REFUSE**

**Ward :** 04 Landward Caithness

**Development category :** Local Development

**Pre-determination hearing :** not required

**Reason referred to Committee :** Local Members call-in.

**1. PLANNING BACKGROUND**

- 1.1 Members will recall that this proposal was considered at the meeting of the North Planning Applications Committee on 24<sup>th</sup> March 2015. The committee deferred the application to allow the Local Member and the Case Officer to meet with the Applicant and discuss the options available to justify the demolition and to consider submitting an application for Listed Building Consent.
- 1.2 This report should be read in conjunction with the parent report ref 10/03063/FUL- *Demolition and alteration of existing agricultural buildings and erection of 2 new general purpose agricultural buildings* which was considered by Committee on 24 March 2015 and is appended.
- 1.3 The application was amended in late 2014 from demolition of the entire original steading to partial demolition of the north and east wings, and removal of the extension to the cottage; the erection of three new sheds was amended to the erection of two new sheds. Importantly, this amendment retains the cottage and low steading building which are on the road frontage, as well as the 'triple-gabled' central-western block.

- 1.4 The Conservation Officer has stated that the steading is considered to be curtilage listed with Watten Mains house (category B listed); the demolition is not justified accordingly and should therefore be refused. The tests to justify demolition of building covered by listing are contained within Historic Scotland's Scottish Historic Environment Policy are set out in Section 5.a.1 of the parent report.
- 1.5 The key issue here is that with the farm steading being considered to be 'curtilage listed', a justification for their demolition (in accordance with the tests requires to be submitted within a Listed Building Consent (LBC) application. This LBC would be considered concurrently with the full planning application. The Applicant however disagrees with this assessment and does not consider the steading to be classifiable as curtilage listed; accordingly the applicant has not submitted the required justification or Listed Building Consent application. This means that the Planning Authority is not in the position to fully assess the proposal. The proposal is therefore not considered to comply with relevant policy and guidance, leading to a recommendation of refusal.
- 1.6 The four criteria for curtilage listing are set-out in Section 8.4.1 of the parent report.
- 1.7 Following Planning Committee on 24.03.2014, and on the direction of the deferral, the Local Member (Gillian Coghill) and Case Officer (Norman Brockie) met with the Applicants (Mrs. B and Mr. D. Hymer) on 07.05.2015 in Watten Mains House to discuss a course of action that would facilitate a compromise to be reached and a more positive resolution to be considered by Committee. This would however have required the submission of an application for Listed Building Consent including justification for the proposed demolition. This would have allowed The Council to *consider* a recommendation of approval for the proposed works, taking into account the assessment that the steading is curtilage listed. The Applicants however maintained their assertion that the steading buildings do not comply as being curtilage listed buildings and declined to submit an application for Listed Building Consent. Regrettably this difference of opinion could not be resolved and no further course of action was considered to be available. Accordingly the original recommendation of refusal is maintained.

## **2.0. CONCLUSION**

- 2.1 It is recommended that Planning permission be refused subject to the reason set out in the parent report appended.

Signature: Dafydd Jones  
Designation: Area Planning Manager North  
Author: Norman Brockie  
Background Papers: Documents referred to in report and in case file.  
Relevant Plans: Plan 1 – 01-Rev.A Site/Location Plan  
Plan 2 – 10 Existing Site Layout Plan  
Plan 3 – 12 Proposed Site Layout Plan  
Plan 4 – 11 Demolitions Plan